



អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia

Chambres Extraordinaires au sein des Tribunaux Cambodgiens

STATEMENT BY JUDGE YOU BUNLENG CO-INVESTIGATING JUDGE

I am extremely honoured by my recent promotion to be the President of the Court of Appeal of the Kingdom of Cambodia and as well as a member of the Supreme Council of the Magistracy at this point of my judicial career.

This new appointment will permit me to play an important role in Cambodia's current program of legal and judicial reform, especially for the task of implementing the recently promulgated Code of Civil Procedure and Code of Criminal Procedure. The Appeals Court, which is one of the highest courts in Cambodia, is charged with the important duty of ensuring uniformity in interpreting and enforcing these laws. My experience, particularly from the ECCC, will enable me to help reform and strengthen the judicial process and the enforcement of the rule of law in Cambodia, which is a long-term national priority.

At the same time, my task as national Co-Investigating Judge at the ECCC is extremely important for my country and for humanity as a whole. As long as the ECCC considers my presence to be essential it is my duty to continue, ensuring there is no interruption or delay in the process. I will continue my mission at the ECCC until such time as an appropriate and smooth transition can be made, and I have already begun consultation with my staff and my international counterpart to reach a mutually acceptable and constructive solution that does not disrupt our work.

We recognise that, under the ECCC Law and the 2003 Agreement, the Co-Investigating Judges shall be appointed for the duration of the investigation. However, both instruments also provide for the appointment of reserve Co-Investigating Judges, indicating that the possibility of change is clearly foreseen. The ECCC, as any other court, has to provide for the contingency in which any national or international judge might be unable to continue their function, in exceptional circumstances.

I believe that the arrangements we are implementing to deal with this new situation are fully in accordance with the ECCC Law and the Agreement.

15 August 2007

